

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number
P.C. 06/11/2003 Item : 4.d.

File Number
PDC 02-073

Application Type
Planned Development Rezoning

Council District
6

Planning Area
Willow Glen

Assessor's Parcel Number(s)
429-48-013; 014; 055

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Anastazia Aziz

Location: Southeastern corner of Willow Brae Avenue and Willow Oaks Drive

Gross Acreage: 4.0

Net Acreage 4.0

Net Density: 10.7 DU/AC

Existing Zoning: R-1-8 Residential

Existing Use: Religious Assembly and Residential

Proposed Zoning: A(PD) Planned Development

Proposed Use: Religious Assembly & Single-family detached residential

GENERAL PLAN

Completed by: AA

Land Use/Transportation Diagram Designation
Medium Low Density Residential (8DU/AC)

Project Conformance:
☒ Yes ☐ No
☒ See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: AA

North: Single-family Residential

R-2

East: Single-family Residential

R-1-8

South: Multi-family Residential

R-M

West: Multi-family Residential

R-M

ENVIRONMENTAL STATUS

Completed by: AA

☐ Environmental Impact Report found complete on
☐ Negative Declaration
☒ Negative Declaration circulated on May 21, 2003

☐ Exempt
☐ Environmental Review Incomplete

FILE HISTORY

Completed by: AA

Annexation Title: Willow Glen

Date: October 1, 1936

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval
☐ Approval with Conditions
☐ Denial
☐ Uphold Director's Decision

Date: _____

Approved by: _____
☐ Action
☐ Recommendation

DEVELOPER

DEVELOPER/OWNER

Tom Quaglia, Vice-President
The Riding Group
1 Almaden Blvd., Suite 705E
San Jose, CA 95113

Congregation Sinai of San Jose, Attn: Barry Mirkin
1532 Willowbrae Avenue
San Jose, CA 95125

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: AA

Department of Public Works

See attached memorandum.

Other Departments and Agencies

See attached memoranda from Fire Department, Police Department, Urban Runoff Coordinator and Environmental Services Department.

GENERAL CORRESPONDENCE

None received.

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicants, Sinai Congregation of San Jose and The Riding Group, are requesting a Planned Development Rezoning from R-1-8 Residential to A(PD) Planned Development to allow the development of up to 21 single-family detached residential units (10.7 units per acre) and a 12,255 square foot expansion of an existing religious assembly use on the subject property. The proposed residential project consists of two-story buildings that are similar to garden townhouses in terms of their appearance, density, and site layout, but are detached from each other and separated by approximately six feet.

The assembled parcels total approximately 4.0 acres in size and contain an existing 11,159 square foot religious facility with a child day care facility on 2.1 acres and two single-family residences on a 1.9 acre parcel. The two residences are proposed for demolition. All of the existing religious assembly buildings except one 4,164 square-foot building are proposed to be demolished. The properties are heavily vegetated with mature trees and a dry creek bed is located at the eastern edge of the site. The subject site is bounded by Willowbrae Avenue and single-family and duplex uses to the north; single-family residential uses to the east; and multi-family uses to the south and west.

Valley Transportation Authority (VTA) bus route No. 63 with service to downtown operates along Meridian Avenue with bus stops located within short walking distance of the project.

Project Description**Single-Family Residential**

The proposed residential project consists of 21 single-family detached units fronting onto paseos (linear, common open space features). The units are detached; however, they exhibit many of the qualities of garden townhouses as described in the City Residential Design Guidelines. Garden townhouse units have garages that take access from an alley and front porches or unit entrances are located on the opposite side of the unit facing a pedestrian paseo. A small semi-private yard area is located at the side of each unit, adjacent to the paseo.

The applicant is proposing four-bedroom units oriented perpendicular to the dry creek bed. Common open space is located in the form of passive walkways that provide pedestrian access through the project and in the

dry creek bed along the easterly property line. The units are two stories and reach a height of 27 feet. A two-car garage is located in each unit and guest parking is located in the interior of the site. Vehicular access to the units is from a driveway located at the elbow of Willowbrae Avenue and Willow Oaks Drive. A pedestrian access to Alta Glen Drive is provided at the southern edge of the project.

The dry creek segment located along the eastern side of the project site is a remnant of an inactive creek channel (approximately 12-14 feet in depth) resulting from the historic relocation of Los Gatos Creek. The project site's easterly property line runs along the center of the creek bed. Water runoff from the site currently flows into the remnant section of the creek where it percolates into the ground. Stormwater from the proposed project will continue to flow into this area.

Religious Assembly Use

The religious assembly facility will be constructed on 2.1 acres located immediately west of the proposed residential parcel. All existing structures on the site are proposed for demolition save the religious sanctuary building, which will be converted to classrooms. Similar to the existing facility, the proposed facility will include a sanctuary, social hall, classrooms and a preschool. In addition, the following new facilities are proposed: a chapel/library, administrative offices, and an outdoor garden/courtyard area. Buildings will be up to 40 feet in height with the bulk of the height centrally located on the property. The sanctuary is used for religious services that are held every Saturday and the remodeled sanctuary is designed for a capacity of 300. The social hall is planned to serve a dual function, as a dining hall and a sanctuary for the occasions when the expected attendance will exceed the capacity of the sanctuary. The Congregation Sinai Nursery School is open to children two to five years of age and is proposed to accommodate up to 50 children and six staff members. The preschool is open from mid-September to early June between the hours of 8:30 a.m. and 1:30 p.m. Monday through Friday, excluding Jewish and secular holidays.

PUBLIC OUTREACH

A community meeting was held on April 15, 2003 at Congregation Sinai. Many of those in attendance expressed support for the project although, some concerns were raised regarding setbacks from the dry creek bed, increased traffic at the intersection of Willow Brae and Meridian, and increased traffic along Meridian Avenue. Notices of the Negative Declaration and the public hearings before the Planning Commission and City Council were distributed to the owners and tenants of all properties located within 1,000 feet of the project site and staff has been available to discuss the project with members of the public.

ENVIRONMENTAL REVIEW

The Initial Study prepared for this project concluded that the project would not result in any significant environmental impacts; consequently, a Draft Negative Declaration was circulated for public review. The Initial Study included an historic report prepared by William Self & Associates, which evaluated the historical significance of the existing on-site residences and concluded that the buildings were not significant from an architectural standpoint and were not associated with any notable historic figures or events. The City's Historic Preservation Officer reviewed the report and concurs that the buildings are not of historical significance. Staff will work with the applicant to ensure that the buildings are offered for salvage prior to demolition.

A traffic report prepared by Fehr and Peers on May 19, 2003, evaluated existing traffic conditions, estimated the amount of traffic generated by the proposed project, and evaluated whether the increased traffic would result in significant traffic impacts. Intersections evaluated included Meridian/Minnesota, Meridian/Hamilton, Meridian/Willow Oaks Drive, Willowbrae/Meridian and Willowbrae/Willow Oaks Drive. The report concluded the project would not result in any significant transportation impacts at any of these signalized or unsignalized intersections.

A Biological Resources Analysis and a Tree Survey were also prepared for the project. The Biological Resources Analysis concluded that the dry creek bed does not serve as a riparian corridor and does not support riparian species of plants or animals. The project proposes to remove 139 trees, 31 of which are ordinance size trees. Proposed mitigation includes replacing ordinance size trees at a ratio of four 24-inch box specimen trees for every one tree removed.

GENERAL PLAN CONFORMANCE

The site is designated Medium Low Density Residential (8 DU/AC) on the San Jose 2020 General Plan/Land use Transportation Diagram. The proposed religious facility expansion on 2.1 acres conforms to this designation; however, the proposed residential project on the easterly 1.9 acres, at 10.7 units per acre, exceeds the General Plan density. Although the proposed residential project does not conform to the designation of Medium Low Density Residential (8 DU/AC), it has been determined to be in conformance with the General Plan based on the Discretionary Alternate Use Policy; Two Acres Rule. See analysis below.

ANALYSIS

The primary issues associated with this proposal are General Plan conformance, conformance with the Residential Design Guidelines; building and site design relative to the synagogue, parking, and drainage.

Residential Proposal General Plan Consistency

Two Acre Rule

Discretionary Alternate Use Policies are intended to foster and encourage the implementation of General Plan goals and policies, such as infill development, and to streamline the development review process where appropriate by avoiding time-consuming General Plan Amendments.

The Two-Acre Rule allows parcels with a residential land use designation to be developed at an appropriate density range regardless of the General Plan Land Use/Transportation Diagram designation, provided the project is two acres or less in size, is compatible with surrounding uses, and exemplifies exceptional design.

The subject residential property is approximately 1.9 acres in size with a small frontage on Willow Brae Avenue. The overall net density for the proposed project is 10.7 units per acre. The site is currently underutilized, occupied by two residential units. The project's proposed density is higher than that of the existing single-family neighborhood to the north and east; however, the proposed density provides an appropriate transition between the multi-family residential units on neighboring Alta Glen and the single-family neighborhood to the north and east. As discussed in detail below, the development regulations, building massing, and architectural treatment are designed to respect surrounding development and natural features, resulting in a project that is compatible with the existing neighborhood. The site is within easy walking distance of Meridian Avenue and the commercial uses along this arterial. The proposed rezoning will make efficient use of existing City services and infrastructure and will serve to increase the housing supply in an area with public transit and pedestrian services in conformance with

General Plan goals and objectives.

Conformance with the Residential Design Guidelines (RDG)

The proposed residential portion of the subject proposal was evaluated within the context of the Residential Design Guidelines. The proposed type of small lot single-family detached unit type (also called “detached garden townhouse”) is a fairly new type of development not commonly seen in the City of San Jose, and the RDG do not directly address this design as a discrete unit type; therefore, this analysis is based on a hybrid of the RDG applicable development standards for garden townhouses and for single-family detached houses. It is staff’s opinion that the project substantially conforms to the intent of the RDG for units of the proposed density and general single-family character. Within the context of the neighborhood, the relevant RDG guidelines that were evaluated are the following: 1) site design; 2) setbacks 3) open space; 4) architecture and 5) parking.

Site Design

The site design for this project was constrained by the property’s very limited public street frontage, the RDG objective of avoiding disturbance of creeks and other natural features, and the need to respect adjacent single-family residences. In response to these constraints, the project design proposes an entry drive along the westerly edge of the site and orients the residential units to three pedestrian paseos that run perpendicular to the entry drive and link to sidewalks on both Willow Brae Avenue and Alta Glen Drive. Alley-like driveways that intersect with the entry drive provide access to the garage doors at the rear of the units and allow emergency vehicle access through the site. The buildings are aligned to minimize exposure to the adjacent single-family residences to the east so that only five units are adjacent to the dry creek bed, and the sides of the units are oriented to the adjacent single-family residences. Extensive landscaping is proposed in the creek bed area to provide a substantial vegetative screen between the existing and proposed residential uses.

The conceptual design of the proposed entry drive includes a center island at the project entrance which the Fire Department has indicated does not allow adequate access for emergency vehicles. Staff will work with the applicant at the Planned Development Permit stage to ensure that the project meets the City’s standards for fire access.

Setbacks

The recommended development standards for this proposal include perimeter setbacks in conformance with the RDG. The proposed minimum building setback from the adjacent single-family property line to the east of 28 feet exceeds the RDG recommendation of 20 feet. The proposed setback from the northerly property line of 13 feet matches that of the adjacent duplex and the 25 foot setback from the southerly property line matches that of the adjacent apartments in conformance with the recommendations of the RDG. The proposed minimum setback from the westerly property line of 30 feet is more than adequate for the adjacent church and apartment building. Staff is recommending a setback of 5 feet from the easterly property line where it abuts the cabana club in conformance with the RDG setback recommendations adjacent to common open space. The conceptual site plan shows a minimum building setback of 3 feet at this location; however, staff will work with the applicant at the Planned Development Permit stage to increase this setback to meet the RDG standard.

Additionally, the Guidelines call for a 30-foot front-to-front setback for Garden Townhomes. The project proposes a 17-foot front-to-front setback, slightly more than half of the RDG recommendation; however, the proposed height of the residences is 27 feet and the 17-foot setback represents a 2/3 setback to height ratio. A 2/3-setback ratio is generally considered as a proportionally appropriate ratio in terms of design, with buildings framing the space. Given the urban nature of the infill site, and the proposed setback to height 2/3 ratio, staff feels that the 7-foot front-to-front proposed setback is acceptable on the subject site.

Private Open Space

The RDG recommend a minimum of 300 square feet of private open space for garden townhouses and 400 square feet for single-family detached houses, with a minimum depth of 15 feet. Each of the proposed units includes a small patio of approximately 260 square feet with a minimum dimension of approximately 13 feet located where the side yard widens at the front of the unit. Each unit also includes an approximately 6 by 25 foot side yard on the opposite side of the house, but due to its narrow configuration, this area is not considered useable private open space. While increased private open space for this project would be desirable, staff believes that the reduced private open space is acceptable given the ample common open space provided along the easterly side of the site, within the dry creek bed.

A neighbor of the project site has requested that the 5 patios adjacent to the dry creek bed be enclosed by 6-foot fences to ensure privacy of adjacent rear yards; however staff believes that the proposed landscaped open space within the creek bed should be a visual amenity for both the residents of the project and the adjacent neighbors. Staff will work with the applicant at the Planned Development Permit stage to ensure that these patios are not walled off from the common open space and that low fences and appropriate landscape treatment provide an adequate buffer between the existing and proposed residential uses. Staff has included language in the Draft Development Standards that precludes pools, structures and active recreation facilities within the common open space area to ensure that it serves as an effective buffer between the project site and the adjacent residential properties.

Architecture

The proposed two-story detached units have stucco siding and tile roofs. The project's proposed conceptual architecture is attractive in appearance, and includes an appropriate amount of variation among units to avoid a monotonous appearance. The final design of the units will undergo additional review and modification at the Planned Development Permit stage to ensure that the project will be an attractive asset to the neighborhood.

Parking

The proposed parking requirement for this project conforms to the Residential Design Guidelines. The conceptual project plans indicate 4 bedroom units, which have a parking requirement of 2.75 spaces per unit. Each of the proposed units includes a two-car garage and guest parking is provided along the entry drive in the form of both parallel and perpendicular spaces. The current conceptual plans are slightly short of guest parking. Staff will work with the applicant at the Planned Development Permit stage to ensure that adequate guest parking is provided in conformance with the RDG and the parking requirements of this PD Zoning.

Religious Assembly

Building Design

The proposed synagogue buildings are decidedly modern in design and present a clean uniform appearance from Willow Brae Avenue. Three outdoor gardens, an Entry Garden, Synagogue Garden and Nursery Garden are integrated into the building design resulting in a building that encourages indoor and outdoor connections and flow from one building to another. A six-foot wall is proposed along Willow Brae Avenue, which does present a blank façade to the streetscape; however, the wall is set back 23 feet which provides ample area for lush landscaping. Proposed materials include standing seam metal roofing material, cement plaster and a sealed concrete base.

Site Design

The parking area for the synagogue is located on the westerly portion of the site and the synagogue buildings are set between the parking lot and the proposed 21 residential unit development. Single story buildings are located adjacent to the proposed two-story multi-family units to the south and separated by a 20-foot setback.

Parking

The total parking required for a religious assembly facility is based on the parking required for all of the uses that will occur simultaneously. This allows considerable flexibility in the provision of parking if the total facilities are not all used at the same time. With minor exceptions, the proposed sanctuary, day care facility and social hall are not proposed to be used simultaneously. This allows parking to be calculated based on the largest assembly facility. The proposed 300-seat sanctuary requires one space per four fixed seats, resulting in a parking requirement of 75 spaces. The social hall, the larger of the two assembly facilities on the site, is shown on the conceptual site plan as approximately 3,035 square feet. Based on a parking requirement of one space per 30 square feet, the social hall would require approximately 102 spaces. Although the social hall is proposed to be used for large gatherings only a few times a year, it is nevertheless the basis for the site's parking requirement. Eighty-six spaces are proposed on the project site. The Draft Development Standards allow on-street parking along the project frontage to be counted toward the project requirement, bringing the total available parking close to the target of 102 spaces. Staff will work with the applicant at the Planned Development Permit stage to provide adequate parking for the proposed assembly facility (or reduce its size) and to provide a clear program for alternating use of the available parking.

Drainage/Storm Water Quality

The proposed project includes two unique features that reduce storm water run-off from the site: on-site storm water retention within the dry creek bed and a pervious "grass crete" parking surface for a portion of the synagogue parking lot.

Storm water runoff from the proposed project will continue to flow into the remnant segment of the dry creek along the eastern side of the project site. Runoff from the proposed project will be collected by a series of catch basins located throughout the project site and diverted over grassy swales into the remnant creek section where it will percolate into the soil. There will be two outfalls into the dry creek area. Flow dissipaters and other erosion control measures will be used at each outfall location to prevent erosion.

Preliminary calculations indicate that the segment of the remnant channel within the boundaries of the project site is capable of handling the additional stormwater runoff resulting from the proposed project. A berm will be constructed along the eastern edge of the channel to prevent runoff from flowing onto adjacent properties. Prior to issuance of a grading permit, a hydrology report will be prepared to verify the adequacy of the drainage system to handle storm water runoff from the project.

Approximately 57 percent of the proposed on-site synagogue parking spaces are proposed on grass crete. This parking surface is attractive and provides storm water quality benefits by reducing pavement and increasing storm water infiltration.

Trees

Approximately 194 trees are existing on the project site, including 49 ordinance-size trees. The project proposes the removal of 139 trees, 31 of which are of ordinance size. The trees proposed for removal will be replaced at the standard ratios of four 24-inch box trees for each removed tree 18 inches in diameter or greater; two 24-inch box trees for each tree between 12 and 18 inches in diameter and one 15 gallon tree for any tree less than 12 inches in diameter. A significant number of the new trees will be planted in the dry creek bed to provide screening between the new and existing residences. If all of the replacement trees cannot be planted on the project site, off-site tree planting will be required, preferably within the neighborhood.

Most of the existing trees proposed for preservation are located within the dry creek bed or around the perimeter of the synagogue site, a number of which are native Coast Live Oaks. Measures to protect those trees proposed for preservation from construction impacts will be identified at the Planned Development Permit stage. If further review indicates that any of the Coast Live Oaks proposed for preservation cannot be saved in their current location, staff will encourage the applicant to relocate the trees.

Conclusion

Based on the above analysis, staff concludes that the proposed project provides a significant opportunity to further important goals and strategies of the General Plan for infill development within the Urban Service Area, and the project is in substantial conformance with the Residential Design Guidelines and is compatible with the surrounding neighborhood.

RECOMMENDATION

Planning staff recommends that the City Council approve the subject rezoning for the following reasons:

1. The proposed project is consistent with the San José 2020 General Plan discretionary alternate use policy under the Two Acre Rule
2. The proposed project is in substantial conformance with the Residential Design Guidelines.
3. The project furthers the goals and objectives of the City's infill housing strategies and will promote transit usage and pedestrian activity.
4. The proposed rezoning is compatible with existing and proposed uses on the adjacent and neighboring properties.

Attachments:

- Location Map
- General Development Plan Notes
- Correspondence
- Mitigated Negative Declaration
- Plans